IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SEFAC S.A. and SEFAC USA INC.,	)	
Plaintiffs,	)	
v.	)	Case No. 2:15-cv-03406-SD
SEFAC, Inc.,	)	
Defendant.	)	

DEFENDANT'S MOTION TO DISMISS, OR IN THE ALTERNATIVE
MOTION TO STRIKE, AND MOTION TO STAY PROCEEDINGS

Defendant, Sefac, Inc., by and through undersigned counsel, respectfully moves this Honorable Court to dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). In the alternative, Defendant moves to strike from the Complaint immaterial references to the Pennsylvania Unfair Trade Practices and Consumer Protection Law ("Consumer Protection Law"), pursuant to Federal Rule of Civil Procedure 12(f). In addition, Defendant moves to stay these proceedings pending the resolution of similar proceedings initiated seven months before this lawsuit by Plaintiff, Sefac S.A., against this Defendant, within the United States Trademark Trial and Appeal Board ("TTAB"). In support of this Motion, Defendant relies upon Defendant's Brief in Support of its Motion to Dismiss, or, in the Alternative, Motion to Strike, and Motion to Stay Proceedings, and exhibits attached thereto, which are all incorporated by reference, as if fully set forth herein at length.

WHEREFORE, Defendant Sefac, Inc. respectfully requests that the Court dismiss the Complaint, or, in the alternative, strike immaterial references to the Consumer Protection Law, stay the proceedings pending the completion of the primary action filed by Sefac S.A. before the TTAB, and grant Defendant such other and further relief as the Court deems just and proper.

Respectfully submitted,

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/s/

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Dated: August 21, 2015

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of August, 2015, I electronically served a copy of the foregoing on the following counsel of record for the Plaintiffs:

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